

U.S. Department of Labor Employment and Training Administration Bureau of Apprenticeship and Training Washington, D.C. 20210	Distribution: A-541Hdqtrs A-546 All Field Tech A-547 SAC; Lab. Com	Subject: Code: 446.2 <u>Federal Register Notice -- ETA</u> Policy- General Aptitude Test Battery (GATB)
Symbols: DNIP/BLT		Action: Immediate

PURPOSE :

To transmit a Federal Register Notice dated **December 18, 1991**, on an ETA policy decision regarding use of the General Aptitude Test Battery (GATB). It has come to DNIP'S attention that this information was not widely distributed. The policy in this Notice continues in effect.

BACKGROUND :

On August 14, 1990, Bulletin 90-31, code 446.2, was sent to BAT field staff transmitting the Federal Register Notice in which ETA was proposing a policy to discontinue the use of the GATB and revising the validity generalization process used in the test which was used to select and refer individuals in employment and training programs. The Federal Register Notice asked for comments from the public regarding this **proposed** policy.

On December 18, 1991, a Federal Register Notice was issued announcing ETA's policy decision regarding use of the GATB. This notice announced a policy decision that ETA contractors and grantees and programs under the National Apprenticeship Act shall terminate the use of within-group conversion scoring or other race or ethnicity-based adjustments to the GATB scores in making selection and referral decisions. ETA contractors and grantees, and programs under the National Apprenticeship Act may, if they so choose, continue to use the GATB and its variants, but they remain responsible for assuring that any use they make of the GATB scores comply with applicable laws and regulations. Should entities affected by this policy decision decide to continue to utilize GATB for **selection and referral** purposes, rather than solely for **counseling** purposes, DOL recommends that GATB scores be only **one** factor in the selection and referral process, with appropriate weight given to other factors (such as past job performance) as well.

According to the Federal Register Notice, SESAs are given the flexibility to assess their own circumstances and determine whether to continue using the GATB.

The Employment and Training Administration has been undertaking an extensive research and assessment effort to improve the GATB and make it as useful a predictor of an applicant's performance as possible.

ACTION :

BAT field staff should familiarize themselves with the attached documents and insure that program sponsors utilizing the GATB are not using it as the sole selection criteria into registered apprenticeship programs.

Attachment

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The Employment and Training Administration has been undertaking an extensive research and assessment effort to improve the GATB and make it as useful a predictor of an applicant's performance as possible.

ACTION :

BAT field staff should familiarize themselves with the attached and insure that program sponsors utilizing the GATB are not using it as the sole selection criteria into registered apprenticeship programs.

SUMMARY: This notice announces a policy decision regarding use of the General Aptitude Test Battery (GATB). GATB is an employment aptitude test used mainly by the State-administered public employment service agencies.

This notice announces a policy decision that Employment and Training Administration (ETA) contractors and grantees and programs under the National Apprenticeship Act shall terminate the use of within-group conversion scoring or other race or ethnicity-based adjustments to GATB scores in making selection and referral decisions. ETA contractors and grantees, and programs under the National Apprenticeship Act may, if they so choose, continue to use GATB and its variants, but they remain responsible for assuring that any use they make of GATB scores complies with applicable laws and regulations.

The Department of Labor (DOL or the Department) also will move forward with an aggressive research program to address the concerns identified by the National Academy of Sciences (NAS) and to develop as useful a test as possible.

Background

For several decades, the Employment Service (ES) used special adaptations of the GATB, called Specific Aptitude Test Batteries (SATBs), for selecting applicants for job referral. Developed for some 450 occupations, each SATB consists of the two to four occupationally relevant aptitudes with separate qualifying scores that were set at a level such that they would disqualify job applicants with ability levels similar to the lower third of the workers included in the SATB research samples.

During the early 1980's, the U.S. Employment Service (USES) pilot-tested a new use of the GATB for selecting applicants for job referral, called Validity Generalization (VG). The new procedure used the GATB to assess an applicant's relevant potential for occupational success in virtually any of the 12,000 jobs described in the Dictionary of Occupational Titles. Proponents of the new VG asserted that employment tests were much more generalized than previously thought, i.e., the same test was valid and could be used for more than one job in more than one location and setting. Most of the previously observed differences in a given test's ability to predict performance from one job setting to another were thought to be merely statistical artifacts caused by small sample sizes.

DEPARTMENT OF LABOR

Employment and Training
Administration

Policy on Selection and Referral
Techniques for Employment and
Training Programs

AGENCY: Employment and Training
Administration, Labor.

ACTION: Notice; policy decision.

In 1981, USES began encouraging a few State employment service agencies (SESAs) to pilot the use of VG-GATB for all job referrals and to rank candidates according to test scores.

To avoid adverse impact when unvalidated SATBs were used, minority applicants were referred to employers in proportion to their relative numbers or ratio to non-minorities in the local office applicant pool. The same principle was built into the VG-GATB selection process through the method of within-group scoring. Within each applicant group (black, Hispanic, and others), an individual's raw job family scores are translated into percentile scores based on that group's score distribution. This resulted in the same percentage of black and Hispanic applicants receiving the same percentile score as those persons in the "other" category. By combining the percentile scores of individuals in all groups and selecting from the top of the list, applicants are referred in approximate proportion to their relative numbers or ratio within the applicant pool.

Currently, approximately 30 States use the VG-GATB system. In some States it is used in only one office, while in others it is used on a statewide basis. In no office, however, it is being used as the exclusive basis for all or even most of the referrals of workers to employers.

In 1986, questions were raised about the within-group scoring adjustment procedure. Because of the seriousness of these questions, the Department contracted for a special review of VG-GATB by the National Research Council of the National Academy of Sciences.

The NAS stated that it accepted the general thesis of validity generalization, that the results of validity studies can be generalized to many jobs not actually studied, but it urged a cautious approach of generalizing validity only to appropriately similar jobs. Based on some 750 validity studies of various jobs, the NAS found that VG-GATB is likely to be a useful predictor of job performance for a wide variety of jobs similar to those served by the Employment Service system. It characterized the relationship between GATB scores and job performance as "modest," and observed that the relationship is of about the same magnitude for GATB as for other general employment tests.

The NAS found, however, that GATB has certain technical weaknesses that should be corrected. It stressed that research was needed to develop more alternate forms of the GATB for retesting purposes and to replace forms that may have been compromised by falling into examinees' hands. Because

the NAS also found the GATB tests to be too "speeded" (i.e., the tests' time limits were thought to be too short relative to the length of the tests), more research was needed to determine whether such short time limits are making it difficult for examinees to demonstrate their true potential and whether such short time limits encourage guessing as a strategy to improve one's score. The NAS also noted an unexplained drop in validities in recent years. It recommended continuing work on measures of job performance, better documentation of recent validity research, and continuing validation research to assure adequate and current occupational coverage, particularly for new and changed occupations.

The NAS concluded that VG-GATB, in its judgment, is of good enough quality and predictive power to play a significant role in Employment Service system referrals, but that it should not be the sole means of referring candidates, nor should it be used to the exclusion of other criteria such as experience and education.

In July 1990, the Department solicited comments from the public on a proposed directive containing revised policy on the use of Validity Generalization (VG)-GATB. 55 FR 30162. The comment period subsequently was reopened and extended through September 24, 1990. 55 FR 35379 (August 29, 1990).

Comments were received from 1,523 respondents. Many opposed the proposed policy that would have required the suspension of the use of the GATB for approximately two years, while the Department conducted research and made modifications to address NAS' concerns. Included among those opposing the proposal were a mix of employers, local apprenticeship councils and their parent unions, professional testing organizations, and several State employment service agencies (SESAs). These respondents felt that VG-GATB provided employers with a more productive work force while helping them to attract qualified minority workers. Respondents on behalf of special worker groups, however, were generally supportive of the proposal, as were a few SESAs. The principal professional organizations involved in testing submitted comments which opposed elimination of the GATB, and asserted that use of the test should be permitted during the research period, on the ground that there are currently no known alternatives that are as valid and economically useful as the GATB. See, for example, comments of the American Psychological Society, the American Psychological Association, and the

Society for Industrial and Organizational Psychology, Inc. There was generally no opposition to the proposed GATB research.

Policy Decision

Although the comments on both sides of the issue of whether to retain the within-group scoring system raised thoughtful arguments, the passage of the Civil Rights Act of 1991 obviates the decision. Section 106 of the Act prohibits the use of any scoring system whose effect would be to "adjust the scores of, use different cutoff scores for, or otherwise alter the results of employment related tests on the basis of race, color, religion, sex or national origin." Thus, the Act requires that the use of within-group conversion scoring or other race-, color-, religion-, sex- or national origin-based adjustments to GATB scores for selection and referral by Employment and Training Administration contractors and grantees, and by programs under the National Apprenticeship Act, be terminated, effective immediately. Since the Civil Rights Act of 1991 is effective upon enactment (section 402), such entities shall immediately cease all use of the within-group scoring adjustment in test administration and scoring or for any referral or selection decisions.

The Department will undertake a vigorous program of research and attempt to improve the test, but will not prohibit use of the GATB while the research is being conducted.

There are a wide variety of circumstances and ways in which GATB scores conceivably might be used. ETA contractors and grantees, and programs under the National Apprenticeship Act may, if they so choose, continue to use GATB and its variants. But contractors, grantees, and programs under the National Apprenticeship Act are responsible for assuring that any use they make of GATB scores complies with applicable laws and regulations, including those relating to civil rights.

Should entities affected by this policy decision decide to continue to utilize GATB for selection and referral purposes, rather than solely for counseling purposes, DOL recommends that GATB scores be only one factor in the selection and referral process, with appropriate weight given to other factors (such as past job performance) as well, as suggested by the NAS report.

Based on the findings of the NAS report as to the usefulness of the test as a predictor of performance for a wide variety of jobs, the Department has decided against banning the use of GATB during the research period. The

Department has concluded that SESAs and other users should be allowed the flexibility to assess their own circumstances and determine whether to continue using the GATB, in appropriate ways, during the interim period while research is undertaken to make improvements in the test.

The Department will conduct a multi-year research study to sharpen the ability of the GATB to predict worker performance on the job and thereby increase worker productivity through the use of better and more accurate job placement techniques. The research study is designed to assure that the GATB is a state-of-the-art assessment tool for referring workers to productive, satisfying employment. The Department's research is designed to make the GATB as accurate a predictor as can be developed with existing research techniques and to make it a fair instrument for assessing all workers' capabilities, making it a comprehensive and job-related assessment tool to meet the needs of America's changing and more competitive job market.

EFFECTIVE DATE: Employment and Training Administration grantees and contractors, and programs under the National Apprenticeship Act, shall implement this revised policy on December 18, 1991.

FOR FURTHER INFORMATION CONTACT: Robert Litman, Acting Director, U.S. Employment Service, Employment and Training Administration, Washington, DC 20210. Telephone (202) 535-0157 (this is not a toll-free number).

Signed at Washington, DC, this 13th day of December, 1991.

Roberts T. Jones,
Assistant Secretary of Labor.

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